

2SHB 1188 - S COMM AMD
By Committee on Transportation

ADOPTED 04/06/2005

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 41.56.473 and 1999 c 217 s 3 are each amended to read
4 as follows:

5 (1) In addition to the entities listed in RCW 41.56.020, this
6 chapter applies to the ((Washington)) state ((patrol)) with respect to
7 the officers of the Washington state patrol appointed under RCW
8 43.43.020(~~(. Subjects of bargaining include wage related matters)~~),
9 except that the ((Washington)) state ((patrol)) is prohibited from
10 negotiating (~~(rates of pay or wage levels and)~~) any matters relating to
11 retirement benefits or health care benefits or other employee insurance
12 benefits.

13 (2) For the purposes of negotiating, the state shall be represented
14 by the chief of the Washington state patrol.

15 (3) The chief of the Washington state patrol shall consult with the
16 governor or the governor's designee regarding employment relations.

17 (4) The negotiation of provisions pertaining to wages and wage-
18 related matters in a collective bargaining agreement between the
19 ((Washington)) state ((patrol)) and the Washington state patrol
20 officers is subject to the following:

21 (a) The chief of the Washington state patrol must periodically
22 consult with a subcommittee of the joint committee on employment
23 relations created in RCW 41.80.010(5) which shall consist of the four
24 members appointed to the joint committee with leadership positions in
25 the senate and the house of representatives, and the chairs and ranking
26 minority members of the senate transportation committee and the house
27 transportation committee, or their successor committees. The
28 subcommittee must be consulted regarding the appropriations necessary
29 to implement these provisions in a collective bargaining agreement and,

1 on completion of negotiations, must be advised on the elements of these
2 provisions.

3 (b) Provisions that are entered into before the legislature
4 approves the funds necessary to implement the provisions must be
5 conditioned upon the legislature's subsequent approval of the funds.

6 (5) The governor shall submit a request for funds necessary to
7 implement the wage and wage-related matters in the master collective
8 bargaining agreement or for legislation necessary to implement the
9 agreement. Requests for funds necessary to implement the provisions of
10 bargaining agreements may not be submitted to the legislature by the
11 governor unless such requests:

12 (a) Have been submitted to the director of financial management by
13 October 1st before the legislative session at which the requests are to
14 be considered; and

15 (b) Have been certified by the director of financial management as
16 being feasible financially for the state or reflects the decision of an
17 arbitration panel reached under RCW 41.56.475.

18 **Sec. 2.** RCW 41.56.475 and 1999 c 217 s 4 are each amended to read
19 as follows:

20 In addition to the classes of employees listed in RCW 41.56.030(7),
21 the provisions of RCW 41.56.430 through 41.56.452 and 41.56.470,
22 41.56.480, and 41.56.490 also apply to Washington state patrol officers
23 appointed under RCW 43.43.020 as provided in this section, subject to
24 the following:

25 (1) The mediator or arbitration panel may consider only matters
26 that are subject to bargaining under RCW 41.56.473.

27 (2) The decision of an arbitration panel is not binding on the
28 legislature and, if the legislature does not approve the funds
29 necessary to implement provisions pertaining to wages and wage-related
30 matters of an arbitrated collective bargaining agreement, is not
31 binding on the state or the Washington state patrol.

32 (3) In making its determination, the arbitration panel shall be
33 mindful of the legislative purpose enumerated in RCW 41.56.430 and, as
34 additional standards or guidelines to aid it in reaching a decision,
35 shall take into consideration the following factors:

36 (a) The constitutional and statutory authority of the employer;

37 (b) Stipulations of the parties;

1 (c) Comparison of the hours and conditions of employment of
2 personnel involved in the proceedings with the hours and conditions of
3 employment of like personnel of like employers of similar size on the
4 west coast of the United States;

5 (d) Changes in any of the foregoing circumstances during the
6 pendency of the proceedings; and

7 (e) Such other factors, not confined to the foregoing, which are
8 normally or traditionally taken into consideration in the determination
9 of matters that are subject to bargaining under RCW 41.56.473."

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10 In line 2 of the title, after "matters;" strike the remainder of
11 the title and insert "and amending RCW 41.56.473 and 41.56.475."

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